

Application No.: 10/751,233

Docket No.: 10017979-2

REMARKS

The issues raised in the Final Office Action are as follows:

- Claims 1-8 stand rejected under 35 U.S.C. 102(b) as anticipated by *McIntyre*, U.S. Pat. No. 4,097,012 (hereinafter *McIntyre*); and
- Claims 1-8 stand rejected under the judicially created doctrine of obviousness-type double patenting.

Applicant hereby traverses the outstanding rejections of the claims, and request reconsideration and withdrawal of the outstanding rejections in light of the amendment and remarks contained herein. Claim 1 is amended above for purposes of clarification. No new matter has been added by this amendment. Specifically, in independent claim 1, the phrase "said second assembly not including any elements of said first assembly" has been added to claim 1. Support for this amendment may be found at least in FIGURE 1 and 2 and paragraph [0018] of the present specification. Claims 1-8 remain pending in this application.

I. Applicant's Record Under § 713.04 of Telephone Interview With Examiner

Int. record
OK
1/31/05
DPS

Applicant respectfully submits the following record of the telephone interview of December 15, 2004, under M.P.E.P. § 713.04. The following persons participated in the interview: Examiner Ryan M. Flandro and Applicant's attorney, Jerry L. Mahurin, Registration Number 34,661. Claim 1 was discussed in reference to *McIntyre*. The possibility of making the above amendment to claim 1 was discussed and the Examiner indicated that he would consider whether the amendment may be entered upon submission of an AF response.

II. Rejection under 35 U.S.C. §102(b)

Claims 1-8 are rejected under 35 U.S.C. 102(b) as anticipated by *McIntyre*. In light of the above amendment to claim 1, Applicant respectfully traverses this rejection for at least the reasons advanced below.